

P.O.BOX 290066

REPRESA, CA 95671

(IN PRO/SE)

IN THE UNITED STATES DISTRICT COURTHOUSE
FOR THE EASTERN DISTRICT OF CALIFORNIA SAC

LEE E.HAGGERTY,
PLAINTIFF,

VS.

A.URIBE

A.AURTHUR

G.BLACK

M.LIDDELL

C.SULLIVAN

G.COLLINSWORTH
DEFENDANTS.

CASE NO: 2:21-cv-1248-KJM-AC

CIVIL RIGHTS COMPLAINT 42. U.S.C.
§ 1983, FOR EIEGHT AMENDMENT; AND
FOURTHTEENTH AMENDMENT VIOLATIONS

FILED

SEP 19 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

FIRST AMENDED COMPLAINT
DEMAND FOR JURY TRIAL

JURISDICTION

(1).THIS IS A CIVIL RIGHTS COMPLAINT FOR VIOLATIONS OF THE 8th AND 14th AMENDMENTS, OF THE UNITED STATES CONSTITUTION. AND AUTHORIZED BY 42 U.S.Q. § 1983, TO SEEK REDRESS FOR THE REDRESSES OF DEPRIVATIONS OF RIGHTS FUNDAMENTAL TO PERSONAL LIBERTIES, AND FREEDOMS, DEPRIVATIONS ... UNDER COLOR, VIRTUE, AND PRETENSES OF STATE, AND FEDERAL LAW(S), STATUTE(S), ORDINANCE(S), BUSTOM(S), USAGE(S), OF... RIGHTS, PRIVILEGES AND/OR IMMUNITIES SECURED BY THE UNITED STATES OF AMERICA... CONSTITUTION(S), OR BY ACTS OF CONGRESS, PROVIDING FOR EQUAL RIGHTS OF CITIZENS WITHIN THE UNITED STATES.

VENUE

(2). THE UNLAWFUL ACTS AND PRACTICES ALLEGED HEREIN, OCCURRED WITHIN THIS JURISDICTION, HERE IN CSP-SAC/180, EASTERN DISTRICT OF CALIFORNIA. THE DEFENDANT(S) NAMED WITHIN THIS COMPLAINT ARE/IS CALIFORNIA CORRECTIONAL OFFICERS.THEREFORE THIS IS THE [VENUE] PURSUANT TO 28 U.S.C. § 1391.b.2. PLAINTIFF SEEKS COMPENSATORY NOMINAL, AND PUNITIVE DAMAGES ON THESE ALLEGATIONS, PUR 28 U.S.C. § 2201 & 2202.

PLAINTIFF

(3).THIS PLAINTIFF, LEE E,HAGGERTY, MENTIONED HEREIN AT ALL TIMES, IS A CALIF-
ORNIA, STATE PRISONER CURRENTLY INCARCERATED HERE IN CSP-SAC/180. SACRAMENTO
STATE PRISON, 100 PRISON ROAD, REPRESA, CA 95671.

DEFENDANTS

(4).THIS DEFENDANT, A.URIBE, MENTIONED HEREIN AT ALL TIMES, IS A CALIFORNIA
CORRECTIONAL OFFICER, HERE IN SACRAMENTO STATE PRISON, AND IS BEING SUED IN AN
[INDIVIDUAL CAPACITY].

(5).THIS DEFENDANT, A.AURTHUR, MENTIONED HEREIN AT ALL TIMES, IS A CALIFORNIA
CORRECTIONAL OFFICER, HERE IN SACRAMENTO STATE PRISON, AND IS BEING SUED IN AN
[INDIVIDUAL CAPACITY].

(6).THIS DEFENDANT, G.BLACK, MENTIONED HEREIN AT ALL TIMES, IS A CALIFORNIA
CORRECTIONAL OFFICER, HERE IN SACRAMENTO STATE PRISON, AND IS BEING SUED IN AN
[INDIVIDUAL CAPACITY].

(7).THIS DEFENDANT, M.LIDDELL, MENTIONED HEREIN AT ALL TIMES, IS A CALIFORNIA
CORRECTIONAL OFFICER, HERE IN SACRAMENTO STATE PRISON, AND IS BEING SUED IN AN
[INDIVIDUAL CAPACITY].

(8).THIS DEFENDANT, C.SULLIVAN, MENTIONED HEREIN AT ALL TIMES, IS A CALIFORNIA
CORRECTIONAL OFFICER, HERE IN SACRAMENTO STATE PRISON, AND IS BEING SUED IN AN
[INDIVIDUAL CAPACITY].

(9).THIS DEFENDANT, G.COLLINSWORTH, MENTIONED HEREIN AT ALL TIMES, IS A CALIFOR-
NIA, CORRECTIONAL OFFICER, HERE IN SACRAMENTO STATE PRISON, AND IS BEING SUED
IN AN [INDIVIDUAL CAPACITY].

PLEADING REQUIREMENT

TO STATE A CLAIM UNDER § 1983, A PLAINTIFF MUST
ALLEGE TWO ESSENTIAL ELEMENTS: (1).THAT A RIGHT ...
SECURED BY THE CONSTITUTION OR LAWS OF THE UNITED
STATES WAS VIOLATED. AND (2).THAT THE ALLEGED ...
VIOLATION WAS COMMITTED BY A PERSON ACTING UNDER
THE COLOR OF STATE LAW.

1 (10).THIS PLAINTIFF (ALLEGES) THAT ALL NAMED DEFENDANTS MENTIONED HEREIN THIS
2 COMPLAINT, ("CONSPIRED TO DEPRIVIE ME OF MY CONSTITUTIONAL RIGHT TO BE SAFE,AND
3 FREE FROM INTENTIONAL HARM.") IN VIOLATION OF THE U.S.CONST. 8th & 14th AMENDME-
4 NTS.

5 (A):THIS PLAINTIFF (ALLEGES) THAT ALL NAMED DEFENDANTS WERE/IS CALIFORNIA ...
6 CORRECTIONAL OFFICERS ACTING UNDER THE COLOR OF STATE LAW, WHEN THE CONSTITUTI-
7 ONAL, DEPRIVATION(S) OCCURRED.

8
9 FEDERAL STANDARD

10 A COMPLAINT MUST CONTAIN A "SHORT & PLAIN STATEMENT"
11 OF THE CLAIM SHOWING THAT THE PLEADER IS ENTITLED TO RELIEF
12 FED.R.CIV.P. 8(a). "DETAILED FACTUAL ALLEGATIONS ARE NOT...
13 REQUIRED, BUT [T]HREADBARE RECITALS, OF THE ELEMENTS OF A
14 CAUSE OF ACTION, SUPPORTED BY MERE CONCLUSORY STATEMENTS DO
15 NOT SUFFICE."

16 SHORT AND PLAIN STATEMENT

17 (11).ON 11/13/2019, WHILE BEING HOUSE IN A (MAXIMUM SECURITY HOUSING UNIT)....
18 ADMINISTRATIVE SEGREGATION FOR BEING A SAFETY RISK TO THE PENALOGICAL INTEREST
19 TO THE SECURITY OF THE INSTITUTION, I WAS FORCED INTO A "GLADIATOR GAMES/FIGHTS"
20 BY THE NAMED DEFENDANTS, AND SUBSEQUENTLY AFTER THE FIGHT WAS CONTROLLED, THE
21 NAMED DEFENDANTS HELD ME DOWN ON THE GROUND, AND ALLOWED ME TO BE STABBED IN THE
22 BACK TWICE, BY AN UNKNOWN PERSON.

23 CHRONOLOGICAL CHAIN OF EVENTS

24 THIS PLAINTIFF WILL STATE A CHRONOLOGICAL CHAIN
25 OF EVENTS AND/OR BRIEF SUMMARY OF FACTS PERTAINING
26 TO THIS COMPLAINT AND AFTER WILL "DEMONSTRATE" A
27 COGINIZABLE CLAIMS FOR RELIEF.

28 (12).ON NOVEMBER 13,2019, WHILE BEING HOUSED IN 'ADMINISTRATIVE SEGREGATION.'
FOR DISCIPLINARY REASONS, I WAS ASKED BY (DEFENDANT) A.URIBE, DID I WANT TO GO
TO THE MENTAL HEALTH GROUP. I TOLD HIM YES. SO IN (AD-SEG) INMATES HAVE TO BE
STRIPPED OUT VIA AN UNCLOTHED BODY SEARCH.

WHICH MEANS, (CDCR) POLICY/PROTOCOL IS THAT ALL INMATES COMING OUT OF THEIR CELLS, IN (AD-SEG) MUST SUBMIT TO AN UNCLOTHES BODY SEARCH. WE HAVE TO GET NAKED AND BEND OVER & SQUAT & COFF, OPEN OUR MOUTHS, AND RUN OUR FINGERS THROUGH OUR HAIR, WHILE BEING OBSERVED BY CORRECTIONAL OFFICERS. OUR CLOTHES HAS TO BE LOOKED, THROUGH AND/OR EXAMINED. ONCE THE SEARCH IS COMPLETED, THEN WE ARE GIVEN... BACK OUR CLOTHES, TO PUT ON, AND PLACED IN WAIST RESTRAINTS, THROUGH THE CELL DOOR TRAY SLOT.

(13). INMATES CANNOT BE ALLOWED OUT OF THE CELL, UNLESS (OR) UNTIL WE ARE IN SOME KING OF MECHANICAL RESTRAINTS. SO, I WAS PLACED INTO A PAIR OF WAISTCHAINS BY (DEFENDANT) A.URIBE, AND HE HAD THE CONTROL BOOTH, OPEN MY CELL DOOR. I HAD TO COME OUT OF THE CELL FACING BACKWARDS, SO THE CORRECTIONAL OFFICER CAN GRAB ME BY THE ELBOW.

(14). (DEFENDANTS) A.URIBE, AND A.AURTER, ESCORTED ME TO THE (AD-SEG) MULTI-PURPOSE, ROOM. THIS MULTIPURPOSE ROOM IS USED FOR MENTAL HEALTH GROUPS, SO THE INMATES WHO ARE LOCKED UP ON DISCIPLINARY MATTERS CAN COME OUT OF THEIR CELLS AND SOCIALIZE WITH OTHER INMATES, READ BOOKS, WATCH MOVIES, AND DISCUSS ALL... KIND OF ISSUES WITH, MENTAL HEALTH STAFF.

(15). THIS GROUP ROOM, IS ABOUT, (80) SQUARE FEET, (OR) (40/40). AND IT HAS ABOUT SEVEN TO EIGHT METAL DESK, WHICH IS ABOUT TWO FEET APART, WITH PLASTIC... DIVIDERS FACE LEVEL, AND IT HAS A METAL LOOP, FOR INMATES TO BE ATTACHED TO THE DESK, AT THE FEET LEVEL, AS TO WHERE ONCE AN INMATE IS PLACED INTO LEG RESTRAINTS, BEFORE ENTERING THE ROOM, ALL THE INMATE HAS TO DO IS SIT DOWN IN THE CHAIR AND PLACE HIS FEET, UP ONTO THE FOOT STOOL, WHERE THE LOOP IS OPENED, AND THE CHAIN IS PLACED INTO THE LOOP, WHICH IS CLOSED & LOCKED, WITH A MASTER LOCK, THUS RESTRAINING THE INMATE TO THE DESK. ITS (CDCR) POLICY TO SECURE ONE INMATE AT A TIME!

(16). INMATES ARE KEPT, IN THE WAIST CHAINS/RESTRAINTS AT ALL TIMES OUTSIDE OF THEIR RESPECTIVE CELLS, PER. CDCR POLICY.

WAIST-CHAINS, ARE HAND-CUFFS, ATTACHED TO A CHAIN WHICH IS ... WRAPPED AROUND A PERSONS WAIST & LOCKED IN PLACE WITH A PAD LOCK/MASTER LOCK.

(17).AS (DEFENDANTS) A.URIBE, AND A.AURTHUR, ESCORTED ME TO THE MULTIPURPOSE DOOR, THEY HAD ME STOP, AT THE CHAIR IN FRONT (OR) BESIDE THE DOOR, AND REQUESTED, THAT I GET ONTO THE CHAIR, ON MY KNEES, SO THE LEG-CHAIN RESTRAINTS COULD BE PLACED ONTO ME.

(18).ONCE THE DEFENDANTS PLACED THE LEG RESTRAINTS ONTO ME, I WAS WALKED INTO THE ROOM, AND (DEFENDANTS) G.BLACK, AND C.SULLIVAN, WAS STANDING RIGHT INSIDE THE DOOR-WAY ... INSIDE ... THE ROOM. G.BLACK APPROACHED ME & TOLD ME TO LIFT MY HANDS UP, AS I DID, HE TOOK HIS HAND-CUFF KEY & UNLOCKED THE WAISTCHAINS/CUFFS, FROM OFF OF MY WRIST.

(19).AT THIS TIME I DID NOT UNDERSTAND WHAT WAS GOING ON, BECAUSE INMATES ARE NOT ALLOWED OUT OF THEIR CELLS, . . .[UNCUFFED]. . . FOR NO REASON AT ALL!

(A):QUICKLY I FOUND OUT! AS THE CUFFS WERE REMOVED FROM MY WRIST, BOTH DEFENDANTS, MOVED OUT OF THE WAY, AND A INMATE RUSHED UP FROM BEHIND THE OFFICERS. HE WAS ALSO 'UNCUFFED' BOTH HANDS & BOTH LEGS WERE FREE FROM RESTRAINT.

(B):THIS PLAINTIFF, DID NOT THINK TWICE, SO I STARTED AGGRESSIVELY SWINGING ON THE OTHER INMATE (NOT) IN DEFENSE BUT IN (ANGER), BECAUSE THIS WAS A GUY WHO I HAD BEEN ARGUING WITH & BEING DISRESPECTED BY ON THE TIER/OVER THE TIER. HE HAD BEEN YELLING DEROGATORY STATEMENTS TOWARDS ME FOR OVER A WEEK ON THE TIER, AND HE SOME-HOW CONVINCED THESE OFFICERS TO STAGE A FIGHT.

(C):I COULD HAVE TURNED AROUND & RETREATED, BUT INSTEAD I ENGAGED IN THE FIGHT IN A MUTUAL FASHION.IT WAS EITHER THAT, OR TAKE A CHANCE & NOT FIGHT, AND SEE... HOW FAR THE OFFICERS WERE WILLING TO GO, BY ALLOWING ME TO BE ASSAULTED, IN A SUBMISSIVE STANCE/STATE.

(D):AFTER ME & THE OTHER INMATE WAS FIGHTING FOR A FEW MINUTES, MAYBE (2-3)MINS TOPS, (DEFENDANTS) M.LIDDELL, AND SGT. G.COLLINSWORTH, STARTED YELLING GET DOWN

GET DOWN. WHEN WE DID NOT COMPLY, (DEFENDANT) A.URIBE, STARTED SPRAYING ME & THE OTHER INMATE IN THE FACE WITH (OLEORESIN CAPSICUM PEPPER SPRAY) IN THE FACE AND UPPER BODY. IT WAS AT THIS TIME, THAT I STARTED WALKING TO THE FAR RIGHT--SIDE, OF THE ROOM.

(E):AS I LOOKED TOWARDS MY LEFT I SEEN, (DEFENDANTS) C.SULLIVAN, G.COLLINSWORTH AND G.BLACK, GRAB THE OTHER INMATE, AND RESTRAINED HIM ON THE FLOOR. ALL THREE (DEFENDANTS) WERE KNEELING DOWN, WITH THEIR KNEES, HANDS ETC..., ON THE OTHER GUYS BACK.

(F):(DEFENDANTS) A.URIBE, A.AURTHUR, M.LIDDELL, CAME TOWARDS ME, AND I WAS. . . FORCEFULLY GRABBED BY URIBE, AND SWUNG AROUND, AND TRIPPED, WHICH MADE ME FALL TO THE GROUND.

(G):I REMEMBER, URIBE HAD HIS KNEE, ON THE BACK OF MY NECK, AND THE OTHER TWO AURTHUR & LIDDELL, GRABBED MY LEGS & HANDS, RESTRAINING ME ON THE FLOOR. IT WAS AT THIS TIME, I HEARD SOMEONE YELL, "STOP, STOP, STOP." AND A FEW SECONDS LATER I FELT AN [INTENSE JOLT OF PAIN] IN MY LOWER BACK, TWICE, DUE TO ME BEING STABBED WITH A METAL WEAPON/KNIFE/DAGGER/INSTRUMENT.

(H):I DO NOT KNOW WHO STABBED ME IN THE LOWER BACK, BUT I DO KNOW, WITH A CERTAINTY, THAT THE OTHER INMATE WAS RESTRAINED, BEFORE I WAS FORCED TO THE GROUND. AND THAT ITS ("LITERALLY IMPOSSIBLE FOR AN INMATE TO GET INTO AD-SEG& SEARCHES AND METAL DETECTORS, WITH A WEAPON.")

ADMINISTRATIVE SEGREGATION

(20).CALIFORNIA CODE OF REGULATIONS, CCR#15.3335. ("WHEN AN INMATES PRESENCE IN AN INSTITUTIONS GENERAL POPULATION (GP) INCLUSIVE OF THE RESTRICTED CUSTODY.... GENERAL POPULATION (RCGP) FACILITY PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF THE INMATE OR OTHERS, ENDANGERS INSTITUTION SECURITY OR JEOPARDIZES THE INTEGRITY, OF AN INVESTIGATION OF AN ALLEGED SERIOUS MISCONDUCT, CRIMINAL ACTIVITY, OR THE SAFETY OF ANY PERSON, THE INMATE . . .[SHALL]. . . BE IMMEDIATELY REMOVED,

FROM THE (GP) AND PLACED IN ADMINISTRATIVE SEGREGATION. ADMINISTRATIVE SEGREGATION, MAY BE ACCOMPLISHED BY CONFINEMENT IN A DESIGNATED ADMINISTRATIVE SEGREGATION, UNIT (ASU) OR, IN AN EMERGENCY, TO . . . ANY . . . SINGLE . . . CELL . . . UNIT . . . CAPABLE OF PROVIDING SECURE SEGREGATION.")

FIRST CAUSE OF ACTION

(21).THIS PLAINTIFFS CONSTITUTIONAL RIGHT UNDER THE U.S.CONST. 8th AMENDMENT TO BE FREE FROM CRUEL & UNUSUAL PUNISHMENT, AND TO BE PROVIDED SAFE CUSTODY FROM SUBSTANTIAL HARM WAS VIOLATED.

(A):("[A] PRISON OFFICIAL VIOLATES THE EIGHT AMENDMENT, ONLY WHEN TWO REQUIREMENTS, ARE MET. (FIRST): THE DEPRIVATION ALLEGED MUST BE, OBJECTIVELY, SUFFICIENTLY, SERIOUS; A PRISON OFFICIALS ACT OR OMISSION MUST RESULT IN THE DENIAL OF THE MINIMAL CIVILIZED MEASURES OF LIVES NECESSITIES." [SECOND):"THE PRISON ... OFFICIAL MUST SUBJECTIVELY HAVE A SUFFICIENTLY CULPABLE STATE OF MIND, 'ONE OF DELIBERATE INDIFFERENCE TO INMATE HEALTH OR SAFETY.'")SEE, FARMER VS. BRENNAN, 511 U.S. 825, 834 (1994) (INTERNAL QUOTATION MARKS & CITATIONS OMITTED).

[OBJECTIVE PRONG]: THIS PLAINTIFF, SUFFERED (TWO) STAB WOUNDS TO THE LOWER BACK WITH A WEAPON, WHILE BEING RESTRAINED ON THE GROUND, WITH THE BODY WEIGHT OF THE THREE NAMED DEFENDANTS, A.URIBE, A.AURTHUR, M.LIDDELL, ON MY BACK, IN A CONTROLLED, SITUATION.

[SUBJECTIVE PRONG]: ALL NAMED DEFENDANTS "KNOWINGLY & INTENTIONALLY" DISREGARDED, CDCR POLICY/PROTOCOL, BY REMOVING MY HAND-CUFFS, AND PLACING ME INTO A ROOM WITH AN INMATE WHO ALSO HAD ALL MECHANICAL RESTRAINTS REMOVED, "STAGING A FIGHT FOR ENTERTAINMENT." IN A SECURE SEGREGATION HOUSING UNIT. ALL NAMED DEFENDANTS ACTED WITH RECKLESS INDIFFERENCE, IN A MALICIOUS FASHION, BY HOLDING ME DOWN.... WITH THEIR COMBINED BODY WEIGHT, IN EXCESS OF OVER THREE-HUNDRED POUNDS, WHILE I WAS STABBED MULTIPLE TIMES IN THE LOWER BACK WITH A WEAPON.

(B):AND SINCE I NEEDED MEDICAL ATTENTION, REPORTS HAD TO BE WRITTEN, AND THE

NAMED DEFENDANTS, (ADMITTED) THAT THE OTHER INMATE WAS RESTRAINED BEFOREHAND AND THAT MY MECHANICAL RESTRAINTS/HANDCUFFS WERE INTENTIONALLY REMOVED BEFORE THE INCIDENT HAPPENED.

(22).THERE IS [NO] INMATE, CONTACT, TO INMATE CONTACT ALLOWED IN THE HOLE (OR) ADMINISTRATIVE SEGREGATION UNIT. THERE IS [NO] POLICY (OR) PROCEDURE THAT EVEN ALLOWS FOR AN INMATE ASSIGNED INTO AD-SEG, TO BE OUTSIDE OF HIS/HER CELL, 'UNRESTRAINED,' EVERYTHING THAT TOOK PLACE, INSIDE OF THE SECURITY HOUSING UNIT WAS DONE WITH DELIBERATE INDIFFERENCE.

POINTS OF AUTHORITY

(23).("THE 'EIGHT AMENDMENT' IS VIOLATED IN AN INMATE ASSAULT CASE, WHERE THE DEFENDANT(S) KNOW OF THE DANGER OR WHERE THE THREAT OF VIOLENCE IS SO SUBSTANTIAL OR PERVASIVE THAT THEIR KNOWLEDGE COULD BE INFERRED, AND YET DEFENDANTS FAIL TO ENFORCE A POLICY OR TAKE OTHER REASONABLE STEPS WHICH MAY HAVE PREVENTED THE.... HARM.")SEE, GOKA VS. BOBBITT, 862 F.2d 646, 651 (7th CIR.1988).

(A):("HOLDING, PARTICULAR DEFENDANTS AWARENESS OF A RISK OF HARM, 'MAY BE . . . EVALUATED IN PART BY CONSIDERING THE PATTERN OF TREATMENT THAT INMATES GENERALLY RECEIVED AS A RESULT OF THE CHALLENGED PRACTICE.") SEE, HOPE VS. PELZER, 536 U.S. 730, 738 n.8, 122 S.CT.2508 (2002).

(B):("OFFICER WHO ALLOWED TWO PRISONERS TO COME INTO ...[PHYSICAL]... CONTACT ON A HIGH-SECURITY UNIT WHERE SUCH CONTACT WAS FORBIDDEN COULD BE HELD LIABLE.") SEE, GULETT VS. HAINES, 229 F.SUPP.2d 806, 821-24 (S.D.OHIO.2002).

(C):("ALLEGATION OF FAILURE TO ENFORCE POLICY SUPPORTED A DELIBERATE INDIFFERENCE, CLAIM.") SEE, TALAL VS. WHITE, 403 F.3d 423, 428 (6th CIR.2005).

CONCLUSION

(24).[CAUSATION]: AS A DIRECT, PROXIMATE & LEGAL RESULT, OF THE AFOREMENTIONED [ACTS] AND OMISSIONS COMMITTED IN BAD FAITH, BY DEFENDANTS & EACH OF THEM, THIS PLAINTIFF HAS SUFFERED CONSTITUTIONAL DEPRIVATIONS,

RESULTING IN A ACTUAL INJURY PHYSICAL & MENTALLY. THESE INJURIES HAS NO ...
RATIONAL BASIS OTHER THAN INTENT BY DEFENDANTS TO CAUSE BODILY HARM. IN DIRECT
VIOLATION OF THE U.S.CONST.8th & 14th AMENDMENTS.

(A):THIS PLAINTIFF, HAS NO PLAIN, ADEQUATE OR COMPLETE REMEDY AT LAW, TO REDRE-
SS, THE WRONGS DESCRIBED HEREIN THIS COMPLAINT, PLAINTIFF HAS BEEN & WILL CONTI-
NUE, TOO, BE IRREPARABLY INJURED BY THE CONDUCT OF DEFENDANTS, UNLESS THE COURT
GRANTS THE RELIEF WHICH PLAINTIFF SEEKS.

REQUEST FOR RELIEF

(25).WHEREFORE, PLAINTIFF RESPECTFULLY REQUEST FOR THE COURT TO GRANT THE ...
FOLLOWING RELIEF:

(A):APPOINT COUNSEL TO REPRESENT THIS PLAINTIFF, IN ORDER TO PROTECT THIS PLAI-
NTIFF, INTEREST IN THIS LITIGATION.

(B):THIS PLAINTIFF SEEKS COMPENSATORY DAMAGES FROM EACH (INDIVIDUAL) DEFENDANT
IN THE AMOUNT OF \$400.000.

(C):THIS PLAINTIFF SEEKS PUNITIVE DAMAGES FROM EACH (INDIVIDUAL) DEFENDANT IN
THE AMOUNT OF \$400.000.

(D):THIS PLAINTIFF SEEKS PREVAILING PARTY FEES, IN THE AMOUNT RECOMMENDED BY
THE DECIDING JUDGE, IF ATTORNEY REPRESENTATION IS GRANTED. 42 U.S.C. § 1988.b.

(E):PLAINTIFF SEEKS REDRESS FOR INJURIES, RESULTING FROM DELIBERATE INDIFFEREN-
CE, TOWARDS PLAINTIFFS CONSTITUTIONAL RIGHTS, THAT WAS VIOLATED IN BAD FAITH,
WITH RECKLESS DISREGARD, ACTUAL MALICE, AND FAILURE TO ENFORCE ESTABLISHED CDCR
POLICY, AND THE U.S.CONST.8th AMEND.

STANDING FOR SUIT

(26).ACCORDING TO ALL EXISTING LAW, PLAINTIFF IS ENTITLED UNDER 42 U.S.C. § 1983
TO CHALLENGE THE DEFENDANTS, AND EACH OF THEM UNCONSTITUTIONAL ACTS & OMISSIONS
THAT VIOLATED PLAINTIFFS ESTABLISHED CONST.RIGHTS. ELDER VS. HOLLOWAY, 114 S.CT.
1019, 1023 (1994).

1 I LEE L.HAGGERTY, PLAINTIFF IN THIS ACTION, HEREBY FILES THIS COMPLAINT IN
2 GOOD FAITH, TO SEEK REDRESS FOR THE CONSTITUTIONAL DEPRIVATIONS I HAVE SUFFERED
3 FROM, RESULTING FROM THE CONDUCT OF NAMED DEFENDANTS. I BELIEVE I HAVE A VALID
4 CLAIM, TO SEEK THE REMEDIES & JUSTICE I BELIEVE SHOULD BE GIVEN TO ME. I HAVE
5 GOOD REASON TO BELIEVE THAT ALL THINGS MENTIONED HEREIN THIS COMPLAINT IS TRUE
6 AND CORRECT & BASED UPON MY OWN KNOWLEDGE & BELIEF & AS I KNOW THEM TO BE TRUE.

7 I DO DECLARE & CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED
8 STATES OF AMERICA THAT I HAVE READ THE CONTENTS OF THIS COMPLAINT & ALL INFORM-
9 ATION, IS TRUE & CORRECT, IN THE NATURE OF 28 U.S.C. § 1746.1.

10 RESPECTFULLY SUBMITTED:

11 DATED: 9-13-2022

12 Lee Haggerty
13 PLAINTIFF IN PRO/SE"
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I LEE L.HAGGERTY, DO DECLARE, THAT ON SEPTEMBER THIRTEENTH, I DID MAIL, A 42 U.S.C. §1983
CIVIL COMPLAINT CASE#2:21-cv-01248-KJM-AC, TO THE EASTERN DISTRICT COURT, IN SACRAMENTO CALIF.
I PLACED THE COMPLAINT, IN THE MAIL HERE IN CSF/SAC/180 REPRESA, CA 95671

IT WAS ADDRESSED AS FOLLOWED , TO: THE CLERK OF THE COURT
UNITED STATES COURT EASTERN DIST
501 I STREET, STE# 4-200
SACRAMENTO, CA 95814-2322

THIS PROOF OF SERVICE IS SELF DRAFTED, DUE TO ME NOT HAVING AN OFFICIAL ONE.

RESPECTFULLY SUBMITTED:

DATED: SEPTEMBER 15, 2022


PLAINTIFF IN PROSE: LEE L.HAGGERTY